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EXAMINER

CHEN, TSE W

ART UNIT PAPER NUMBER

2116

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,644

Applicant(s)

KEDIA ET AL.

Examiner

Tse Chen

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment dated June 1, 2005.
2. Claims 29-56 are presented for examination. Applicant has canceled claims 1-28.

Claim Objections

3. Claims 29, 38-39, 41-43, 49, 51-56 are objected to because of the following informalities:
 - As per claim 29, “the computer system having a memory,” should be “the computer system having a computer system memory.”
 - As per claim 38, “a computer system” should be followed by a semicolon; and “low power subsystem” should be “low-power subsystem”.
 - As per claim 39, “central processing unit” should be “computer system”.
 - As per claim 41, “on the disk drive” should be “on the disk drive unit”.
 - As per claims 41-42, “database” should be “shared database”.
 - As per claim 43, “a wireless interface is to connect” should be “a wireless interface to connect”.
 - As per claim 49, “the user interface” should be “a display” as the user interface referenced in claim 38 is to “receive verbal instructions...”
 - As per claim 51, there should be an “and” before the penultimate limitation.
 - As per claims 52-56, “subsystem” should be “low-power subsystem”.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

Art Unit: 2116

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-32, 36, 38-40, 42, 44, 49, 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber et al., U.S. Patent 6240521, hereinafter Barber, in view of Miyazawa et al., U.S. Patent 5983186, hereinafter Miyazawa.

6. In re claim 29, Barber discloses a method comprising:

- Transitioning a central processing unit (CPU) [high speed processor 42] of a computer system [40] into a low power mode [sleep] [col.4, ll.4-12], the computer system having a computer system memory [RAM with registers, masks, etc. of fig.2], a disk drive unit [DISK], and a shared database [shared memory system 50] [col.3, ll.36-52].
- Independent of the CPU, interpreting instruction from a user at a unit [48] of a low-power subsystem [44 with associated components] [col.2, ll.13-19; col.4, ll.13-22; word processing requires user instructions via well known keyboard conventionally through 48].
- Independent of the CPU and in response to the instructions, accessing data contained within the computer system memory through a shared database [50] using a processor [44] of the low-power subsystem, the shared database being shared by the computer system and the low-power subsystem [col.4, ll.13-22; 44 accesses 50 while 42 is in sleep mode inactive].

7. Barber did not disclose explicitly a speech recognition unit.

Art Unit: 2116

8. Miyazawa discloses a method comprising:

- Interpreting verbal instruction [e.g., power on] from a user at a speech recognition unit of a low-power subsystem [fig. 1].
- In response to the verbal instructions, accessing data contained within the computer system memory [col.2, ll.19-28; col.14, ll.19-31; electronic instrument device that computes an input verbal instruction according to registered data of phrases and outputs a specified action] using a processor of the low-power subsystem [col.2, ll.45-50; col.2, l.55 – col.3, l.27; recognized phrases such as power on will enable computer system for access].

9. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber and Miyazawa before him at the time the invention was made, to modify the system taught by Barber to include the speech recognition unit taught by Miyazawa, in order to obtain the claimed method. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Miyazawa: col.2, ll.45-54] and extend the computer system's capabilities, particularly for those who find the keyboard on a laptop to be cumbersome in certain situations [e.g., quadriplegic].

10. As to claim 30, Barber discloses, comprising storing at least a partial copy of data [machine state] accessed from the computer system memory in the shared database [col.3, ll.36-52; col.4, ll.9-11].

11. As to claim 31, Barber discloses, wherein the computer system memory comprises a disk drive unit [DISK] [col.3, ll.40-45].

Art Unit: 2116

12. As to claim 32, Barber discloses, wherein the data contained in the shared database includes multimedia data [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active].

13. As to claim 36, Barber discloses, comprising presenting the data accessed to a user via a display of the low-power subsystem [col.2, ll.13-19; word processing applications displayed in order to be used].

14. In re claim 38, Barber discloses an apparatus [40] comprising [fig.3, 4; col.3, ll.40-45]:

- A computer system [42 with associated components].
- A shared database [50] coupled to the computer system [via 46 in order to operate] [col.3, ll.37-52].
- A user interface to receive instructions from a user [48].
- A low-power subsystem [44 with associated components] coupled to the shared database and to the user interface [via 46 in order to operate], the low-power subsystem having a processor [44] to provide access to the computer system through the shared database [col.4, ll.13-22].

15. Barber did not disclose explicitly a speech recognition unit.

16. Miyazawa discloses a low-power subsystem [fig.1] having speech recognition unit to interpret verbal instructions from the user [e.g., power on] and a processor to provide access to a computer system [col.2, ll.19-28; col.14, ll.19-31; electronic instrument device that computes an input verbal instruction and outputs a specified action] in response to the verbal instructions

Art Unit: 2116

[col.2, ll.45-50; col.2, l.55 – col.3, l.27; recognized phrases such as power on will enable computer system for access].

17. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber and Miyazawa before him at the time the invention was made, to modify the system taught by Barber to include the speech recognition unit taught by Miyazawa, in order to obtain the low-power subsystem coupled to the shared database and to the user interface, the low-power subsystem having speech recognition unit to interpret verbal instructions from the user and a processor to provide access to the computer system through the shared database in response to the verbal instructions. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Miyazawa: col.2, ll.45-54] and extend the computer system's capabilities, particularly for those who find the keyboard on a laptop to be cumbersome in certain situations [e.g., quadriplegic].

18. As to claim 39, Barber discloses, wherein the low-power subsystem is in operation when the computer system enters a low power mode [col.4, ll.13-22; computer system in low-power mode with 44 operating].

19. As to claim 40, Barber discloses, wherein the computer system comprises [col.3, ll.40-45]:

- A central processing unit (CPU) [42].
- A memory device [RAM] coupled to the central processing unit [in order to access data].
- A disk drive unit [DISK] coupled to the central processing unit [in order to access data].

20. As to claim 42, Barber discloses, wherein the data contained in the shared database includes multimedia data [col.1, l.65 -- col.2, l.1; multimedia presentations operates with

Art Unit: 2116

multimedia data which would still be in the shared memory system regardless of which processor is active].

21. As to claim 44, Barber discloses, wherein the user interface of the low-power subsystem further comprises a video display to display data [process state] from the shared database [col.2, ll.13-19; col.3, ll.42-45; word processing applications with data displayed in order to be used].

22. As to claim 49, Barber discloses, wherein the computer system comprises stored multimedia data, wherein the low-power subsystem accesses the stored multimedia data through the shared database and wherein the low-power subsystem presents the multimedia data to a user through a display [a display is required to present multimedia data] [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active; user desires prolonged battery life over performance and selects low-power processor for multimedia presentation].

23. In re claim 51, Barber discloses a low-power subsystem [44 with associated components] comprising:

- A processor [44] coupled to an input unit [48] and to a shared database [50], the processor providing access to a computer system [42 with associated components] through the shared database in response to instructions from the input unit [col.2, ll.13-19; col.4, ll.13-22; word processing requires user instructions via well known keyboard conventionally through 48].

24. Barber did not disclose explicitly a speech recognition unit.

25. Miyazawa discloses a low-power subsystem [fig.1] comprising a speech recognition unit to interpret verbal instructions from a user [e.g., power on] and a processor providing access to a

Art Unit: 2116

computer system [col.2, ll.19-28; col.14, ll.19-31; electronic instrument device that computes an input verbal instruction and outputs a specified action] in response to verbal instructions from the speech recognition unit [col.2, ll.45-50; col.2, l.55 – col.3, l.27; recognized phrases such as power on will enable computer system for access].

26. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber and Miyazawa before him at the time the invention was made, to modify the system taught by Barber to include the speech recognition unit taught by Miyazawa, in order to obtain the claimed low-power subsystem. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to reduce power consumption [Miyazawa: col.2, ll.45-54] and extend the computer system's capabilities, particularly for those who find the keyboard on a laptop to be cumbersome in certain situations [e.g., quadriplegic].

27. As to claim 52, Barber discloses, wherein the processor provides access to the computer system when the computer system is in a low-power mode [col.4, ll.13-22; computer system in low-power mode with 44 operating].

28. As to claim 53, Barber discloses, wherein the shared database is coupled to the computer system [via 46 in order to access data] to store at least a partial copy of data [machine state] stored in the computer system [col.3, ll.36-52; col.4, ll.9-11].

29. Claims 33-34, 37, 43, 45-47, 50, 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber and Miyazawa as applied to claims 29, 38 and 51 above, and further in view of Ditzik, US Patent 5983073.

Art Unit: 2116

30. Barber and Miyazawa disclose every limitation as discussed above in reference to claim 29, 38 and 51. Barber and Miyazawa did not disclose explicitly the presentation medium or the accessing of data from a network or a wireless interface.

31. In re claim 33, Ditzik discloses a method comprising accessing data from a network [external wide area communications network] via the low-power subsystem [14] [col.5, ll.52-59].

32. In re claim 34, Ditzik discloses, wherein the network is accessed using a wireless interface [e.g., cdma] [col.5, ll.52-59; col.8, ll.4-58].

33. In re claim 37, Ditzik discloses a method comprising presenting the data accessed to a user via an audio medium [14a] of the low-power subsystem [14] [col.8, ll.4-58].

34. In re claim 43, Ditzik discloses a low-power subsystem [14] that comprises a wireless interface [an interface in the broadest interpretation is needed to transmit/receive data] to connect with a local area network [col.8, ll.16-58; 100 and 14 constitutes a LAN].

35. In re claim 45, Ditzik discloses a low-power subsystem [14] that comprises a wireless interface [51] to receive verbal instructions from a user interface [36 with associated components] [col.8, l.16 – col.9, l.19].

36. In re claim 46, Ditzik discloses, wherein the user interface comprises an audio headset [earset unit 34] to receive audio data transmitted from the wireless interface [51] [col.8, ll.4-58; 100 relays audio data to 34].

37. In re claim 47, Ditzik discloses, wherein the low-power subsystem [14] comprises an interface [e.g., CDMA] to transmit data to a cellular phone [fig.7; col.5, ll.52-59; col.12, ll.50-67; 14 transmits data to other cellular phones operating in CDMA].

Art Unit: 2116

38. In re claim 50, Barber discloses, wherein the low-power subsystem presents the multimedia data to the user [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active; user desires prolonged battery life over performance and selects low-power processor for multimedia presentation]. Ditzik discloses, wherein the low-power subsystem [14] presents the data to the user over a miniature display screen [fig.3c] of a user interface [col.8, ll.4-58].

39. In re claim 54, Ditzik discloses a low-power subsystem [14] comprising a wireless interface [an interface in the broadest interpretation is needed to transmit/receive data] to connect to an external network [wide area communication network] [col.8, ll.16-58].

40. In re claim 55, Ditzik discloses a low-power subsystem [34] comprising a wireless interface [an interface is needed to relay data to 100] to connect a headset with a unit [100] [col.8, ll.4-58]. Miyazawa discloses a speech recognition unit [above].

41. In re claim 56, Ditzik discloses a low-power subsystem [14] comprising a miniature display screen [fig.3c] to present data accessed from the computer system [100] to the user [col.8, ll.4-58].

42. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik, Miyazawa and Barber before him at the time the invention was made, to modify the low-power subsystem taught by Barber and Miyazawa to include the teachings of Ditzik, as the network access and wireless interface taught by Ditzik is well known to be suitable for use in the system/subsystem of Barber and Miyazawa. One of ordinary skill in the art would have been motivated to make such a combination as it provides very well known ways to access/present data and extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

Art Unit: 2116

43. Claims 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik, Barber and Miyazawa as applied to claims 33 above, and further in view of Chen et al., U.S. Patent 5590197, hereinafter Chen.

44. Miyazawa, Ditzik, and Barber disclose every limitation as discussed above in reference to claim 33. Miyazawa, Ditzik, and Barber did not disclose explicitly the network being an electronic store.

45. Chen discloses a network [fig. 1] as an electronic store [merchant processor] allowing an electronic purchase [col.4, ll.46-50].

46. It would have been obvious to one of ordinary skill in the art, having the teachings of Chen, Miyazawa, Ditzik, and Barber before him at the time the invention was made, to modify the system as taught by Miyazawa, Ditzik, and Barber to include the network as taught by Chen, in order to obtain an electronic store allowing an electronic purchase. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

47. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barber and Miyazawa as applied to claim 40 above, and further in view of Kabelshkov, U.S. Patent 6108663.

48. Barber and Miyazawa disclose every limitation as discussed above in reference to claim 40. Barber and Miyazawa did not disclose explicitly the shared database storing at least a partial copy of data accessed from elsewhere.

49. In re claim 41, Kabelshkov discloses an apparatus [10] wherein a shared database [relational database] is coupled to a disk drive unit [34], the shared database to store at least a

Art Unit: 2116

partial copy of data stored on the disk drive unit [col.4, ll.54-61; database in disk is copied to memory 31].

50. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber, Miyazawa and Kabelshkov before him at the time the invention was made, to use the database as taught by Kabelshkov for the system disclosed by Barber and Miyazawa as the database taught by Kabelshkov is well known to be suitable for use in the system of Barber and Miyazawa. One of ordinary skill in the art would have been motivated to make such a combination as it provides an efficient way to access data [Kabelshkov: col.4, ll.50-56].

51. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barber and Miyazawa as applied to claim 38 above, and further in view of Hollon, Jr., US Patent 5768164, hereinafter Hollon.

52. Barber and Miyazawa disclose every limitation as discussed above in reference to claim 38. Barber and Miyazawa did not discuss a separate miniature display screen that is activated when the main screen is closed.

53. Hollon discloses an apparatus [10] wherein a computer system [10] comprises a main screen [20] and a low-power subsystem [some subsystem in the broadest interpretation is needed to display the data while the main system is in inactive mode to conserve power] comprises a miniature display screen [39] and wherein the miniature display screen is activated when the main screen is closed [col.2, l.51 – col.3, l.5].

54. It would have been obvious to one of ordinary skill in the art, having the teachings of Hollon, Barber and Miyazawa before him at the time the invention was made, to modify the system taught by Barber and Miyazawa to include the display as taught by Hollon, in order to

Art Unit: 2116

obtain the claimed apparatus. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to quickly access stored data [Hollon: col.2, ll.7-9].

Response to Arguments

55. All rejections of claims as filed prior to Amendment dated June 1, 2005 not argued in entirety or substantively in response filed as said Amendment have been conceded by Applicant and the rejections are maintained from henceforth.

56. Applicant's arguments with respect to claim 38 have been considered but are moot in view of the new ground(s) of rejection as necessitated by amendment.

57. All other claims were not argued separately.

Conclusion

58. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

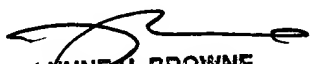
Art Unit: 2116

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tse Chen whose telephone number is (571) 272-3672. The examiner can normally be reached on Monday - Friday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tse Chen
June 13, 2005


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